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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,400	03/12/2004	Jens Hamann	HAMANN-6	7148
20151	7590	08/25/2006		EXAMINER
HENRY M FEIEREISEN, LLC				FREJD, RUSSELL WARREN
350 FIFTH AVENUE				
SUITE 4714			ART UNIT	PAPER NUMBER
NEW YORK, NY 10118				2128

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/800,400	HAMANN, JENS
	Examiner Russell Frejd	Art Unit 2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 June 2004.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.12.04.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

In re Application of: Hamann

***Examination of Application #10/800,400***

1. Claims 1-10 of application 10/800,400, filed on 12-March-2004, are presented for examination.

***Claim Rejections under 35 U.S.C. § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2.1 Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kudo et al., hereinafter Kudo, U.S. Patent Application Publication US 2002/0193972.

- 2.2 Kudo disclosed the invention as claimed, including:

Claim 1: A visualization system [Fig. 8] for a machine-tool or production machine, comprising: a measuring and simulation system operatively connected to the machine-tool or production machine [sec. 0104], said measuring and simulation system simulating a desired response of the machine-tool or production machine using simulation parameters and measuring an actual response of the machine-tool or production machine with the simulation parameters [sec. 0106]; and a single display screen for visualizing the desired response and the actual response simultaneous side-by-side on the single display screen [sec. 0107].

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Claim 2: the measuring and simulation system is operatively connected to the machine-tool or production machine by a data link [Fig. 7, sec. 0103].

Claim 3: the measuring and display system is implemented as an integral system component of the machine-tool or production machine [sec. 0100].

Claim 4: the measured actual response is transmitted via the data link in form of analog data [sec. 0100, especially the plurality of sensor data].

Claim 5: A method for visualizing [Fig.8] a simulated and measured response from a machine-tool or production machine, comprising the steps of: simulating a response from the machine-tool or production machine [sec. 0106]; determining characteristic parameters associated with the simulated response [sec. 0098]; setting control parameters of the machine-tool or production machine based on the determined characteristic parameters [sec. 0099]; measuring an actual machine response obtained with the control parameters [sec. 0099]; and displaying the simulated response and the measured actual response simultaneously side-by-side [sec. 0107].

Claim 6: the characteristic parameters are selected from the group consisting of rotation speed control parameters, position control parameters, travel paths of workpieces, frequency responses, transfer functions and step responses [sec. 0100].

Claim 7: the simulated response and the measured actual response comprises an amplitude-frequency response of the machine-tool or production machine [sec. 0100, see mechanically generate signals, and microphones].

Claim 8: A measuring and simulation system for a machine-tool or production machine, wherein measurement and simulation results are visualized simultaneously side-by-side on a common monitor display screen [sec. 0107].

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Claim 9: the measurement results are transmitted from the machine-tool or production machine to the measuring and simulation system via a data bus system or a data network [sec. 0096].

Claim 10: the measurement results are analog data [sec. 0100, especially the plurality of sensor data].

***Response Guidelines***

**#.** A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

**#. Any response to the Examiner in regard to this non-final action should be**

**directed to:** Russell Frejd, telephone number (571) 272-3779, Monday-Friday from 0530 to 1400 ET, or the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist (571) 272-2100.

**mailed to:** Commissioner of Patents and Trademarks  
P.O. Box 1450, Alexandria, VA 22313-1450

**or faxed to:** (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

**Date:** 21-August-2006

  
\_\_\_\_\_  
**RUSSELL FREJD**  
**PRIMARY EXAMINER**